

FILED JAN 12 2006

JUDICIARY

SENATE FILE 2006
BY ZIEMAN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the residency of a district judge upon
2 appointment.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2006
JUDICIARY

1 Section 1. Section 46.14, subsection 1, Code Supplement
2 2003, is amended to read as follows:

3 1. Each judicial nominating commission shall carefully
4 consider the individuals available for judge, and within sixty
5 days after receiving notice of a vacancy shall certify to the
6 governor and the chief justice the proper number of nominees,
7 in alphabetical order. Such nominees shall be chosen by the
8 affirmative vote of a majority of the full statutory number of
9 commissioners upon the basis of their qualifications and
10 without regard to political affiliation. Nominees shall be
11 members of the bar of Iowa, shall be residents of the state ~~or~~
12 ~~district-of-the-court-to-which-they-are-nominated~~, and shall
13 be of such age that they will be able to serve an initial and
14 one regular term of office to which they are nominated before
15 reaching the age of seventy-two years. Nominees for district
16 judge shall file a certified application form, to be provided
17 by the supreme court, with the chairperson of the district
18 judicial nominating commission. Absence of a commissioner or
19 vacancy upon the commission shall not invalidate a nomination.
20 The chairperson of the commission shall promptly certify the
21 names of the nominees, in alphabetical order, to the governor
22 and the chief justice.

23 Sec. 2. Section 602.6201, subsection 2, Code Supplement
24 2003, is amended to read as follows:

25 2. A district judge must be a resident of the judicial
26 election district ~~in-which-appointed~~ within thirty days of
27 appointment and be a resident of the judicial election
28 district when retained. Subject to the provision for
29 reassignment of judges under section 602.6108, a district
30 judge shall serve in the district of the judge's residence
31 while in office, regardless of the number of judgeships to
32 which the district is entitled under subsection 3.

33 EXPLANATION

34 This bill relates to the residency of a district judge upon
35 appointment. The bill provides that a district judge must be

1 a resident of the judicial election district within 30 days of
2 appointment by the governor. Current law provides that a
3 district judge be a resident of the judicial election district
4 when nominated and appointed a district judge.

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